

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

MARK MARGANSKI,	:	
	:	DOCKET NO.: 3:24-cv-01289-ZNQ-RLS
Plaintiffs,	:	
	:	CIVIL ACTION
vs.	:	
	:	<b>JOINT PROPOSED DISCOVERY PLAN</b>
AUTUMN M. MOGAVERO, WILLIAM P.	:	
GANLEY, JOHN DOE 1 – 10 (fictitious	:	<b>May 28, 2024 Conference Date</b>
Name), ABC CORP. 1 – 10 (fictitious Name)	:	
	:	
Defendants.	:	
	:	

1. Set forth a factual description of the case. Include the causes of action and affirmative defenses asserted.

**This is a diversity action. On August 22, 2022, while traveling on I-78 in the Township of Greenwich, Mark Marganski's automobile was struck in the rear by defendant Autumn M. Mogavero who is operating a vehicle that was owned by defendant William P. Ganley. Plaintiff claims that defendants are responsible for his damages. The defendants deny that allegation.**

2. Have settlement discussions taken place? **No**

If so, when? \_

- (a) What was plaintiff's last demand?

(1) Monetary demand: \$ \_\_\_\_\_

(2) Non-monetary demand: \_\_\_\_\_

- (b) What was defendant's last offer?

(1) Monetary offer: \$ \_\_\_\_\_

(2) Non-monetary offer: \_\_\_\_\_

3. The plaintiff and defendant **have** exchanged the information required by Fed. R. Civ. P. 26(a)(1).

4. Describe any discovery conducted other than the above disclosures.

**The parties have each served interrogatories and Notice to Produce. Plaintiff has also served a Request for Admissions. The interrogatories served by Defendants were in excess of 25 single questions. Request has been made to counsel for Defendants to reduce the amount to 25 pursuant to Fed. R. Civ. P. 33(a)(1).**

5. Generally, dispositive Motions cannot be filed until the completion of discovery. Describe any Motions any party may seek to make prior to the completion of discovery. Include any jurisdictional Motions and Motions to Amend.

**None known of at this time**

6. The parties proposed the following:

- (a) Discovery is needed on the following subjects: **Liability and damages**
- (b) Should discovery be conducted in phases? If so, explain. **No**
- (c) Number of Interrogatories by each party to each other party: **25**
- (d) Number of Depositions to be taken by each party: **5 - 10**
- (e) Factual discovery to be completed by **September 15, 2024**
- (f) Plaintiff's medical expert report due by **October 30, 2024**.
- (g) Defendant's expert(s) report due by **December 15, 2024**.
- (h) Plaintiff's expert rebuttal report due by **January 15, 2025**.
- (i) Expert discovery to be completed by **February 28, 2025**.
- (j) Dispositive motions to be served within **60** days of completion of discovery.
- (k) Set forth any special discovery mechanism or procedure requested, including data preservation orders or protective orders: **None at this time**
- (l) A further conference to be held on \_\_\_\_\_
- (m) pretrial conference may take place on \_\_\_\_\_.

(n) Trial by jury or non-jury Trial? **Jury**

(o) Trial date: \_\_\_\_\_.

7. Do you anticipate any discovery problem(s)? **No.**
8. Do you anticipate any special discovery needs (i.e., videotape/telephone depositions, problems with out-of state witnesses or documents, etc.)? **No**  
If so, explain.
9. State whether this case is appropriate for voluntary arbitration (pursuant to L. Civ. R. 201.1 or otherwise), mediation (pursuant to L. Civ. R. 301.1 or otherwise), appointment of a special master or other special procedure. If not, explain why and state whether any such procedure may be appropriate at a later time (i.e., after exchange of pretrial disclosures, after completion of depositions, after disposition of dispositive motions, etc.).

**The parties would be interested in mediation at the appropriate time**

10. Is this case appropriate for bifurcation? **No**
11. We **do not** consent to the trial being conducted by a Magistrate Judge.

**The Law Offices of Joseph Monaco, P.C.**

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Joseph D. Monaco, Esquire

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**Chasan Lamparello Mallon & Cappuzzo, PC**

By:   
Thomas A. Morrone, Esquire

*Attorneys for Defendants, Autumn M. Mogavero  
and William P. Ganley*